

Appl. No. 10/724,374
Amdt. dated June 17, 2005
Reply to Office Action of May 13, 2005

REMARKS/ARGUMENTS

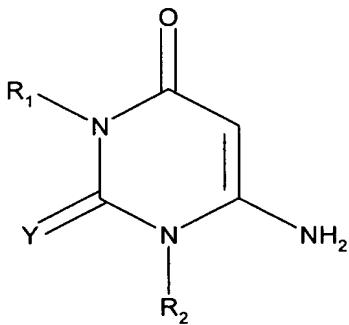
Reconsideration of this application is respectfully requested.

Claims 1-5, and 8-24 are pending in the application with claims 6 and 7 having been canceled, and claims 1-4 and 14-21 having been withdrawn.

Claims 5, 8-13, and 22-24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wehner et al. (U.S. Patent No. 6,084,013) in view of Daniels et al. (U.S. Patent No. 6,245,846).

Wehner et al. disclose stabilizer combinations comprising

A) at least one compound of the formula



in which R₁ and R₂ independently of one another are C₁-C₁₂-alkyl, C₃-C₆-alkenyl, C₅-C₈-cycloalkyl which is unsubstituted or substituted by 1 to 3 C₁-C₄-alkyl-, C₁-C₄-alkoxy-, C₅-C₈-cycloalkyl or hydroxyl groups or chlorine atoms, or are C₇-C₉-phenylalkyl which is unsubstituted or substituted on the phenyl ring by 1 to 3 C₁-C₄-alkyl, C₁-C₄-alkoxy, C₅-C₈-cycloalkyl or hydroxyl groups or chlorine atoms, and R₁ and R₂ can additionally be hydrogen, and Y is S or O, and

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B) at least one compound from the group of the calcium aluminum hydroxides and/or their hydrates and/or

C) at least one compound from the group of the calcium aluminum hydrogen phosphites and/or their hydrates and/or

D) at least one compound of the group of the aluminum hydroxides and/or their hydrates and/or

E) at least one compound from the group of the calcium aluminum hydroxo (hydrogen) carbonates and/or their hydrates and/or

F) at least one compound from the group of the lithium layered lattice compounds and/or their hydrates and/or

G) at least one compound from the group of the titanium-containing hydrotalcites and/or their hydrates which are suitable for stabilizing chlorine-containing polymers, especially PVC. Perchlorates can also be employed in amounts of from 0.001 to 5 parts by weight per 100 parts by weight of the PVC.

Daniels et al. disclose that antimony trioxide and divalent metal (e.g. zinc) stannate or hydroxystannate cat provide a synergistic flame-retardant additive combination in PVC polymer formulations for sheathing for electric wires and cables. The formulations can also contain at least 20 phr of aluminum trihydroxide.

The Examiner has erroneously stated that the text of Wehner et al. does not provide guidance in the amount of aluminum hydroxide component to be added and has cited the Daniels et al. reference, which makes no mention of perchlorates, to show that it is known in

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the art to employ 20 phr of aluminum trihydroxide to stabilize PVC. However, Wehner et al., in fact, disclose in column 9 and lines 59-63 that 0.05 to 10 parts of aluminum hydroxide, among other things, per hundred parts of PVC are to be used in their formulations. This range is below the range required by the claims of the present invention, and it is submitted that a person of ordinary skill in the art would have no motivation to substitute the "at least 20 phr" taught by Daniels et al. for the 0.05 to 10 phr of Wehner et al. to arrive at Applicants' invention.

Accordingly, it is requested that the rejection of claims 5, 8-13, and 22-24 under 35 U.S.C. 103(a) as being unpatentable over Wehner et al. in view of Daniels et al. be withdrawn.

In view of the foregoing, it is submitted that this application is now in condition for allowance and an early Office Action to that end is earnestly solicited.

Respectfully submitted,

15 June 05
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